

Divorce Part 2

CONTESTED DIVORCE WITH MINOR CHILDREN - MILWAUKEE COUNTY

(This checklist is to be used if there are **any** contested issues or if the parties **did not both** sign the Marital Settlement Agreement.)

FILING FEES

- \$5.00

SERVICE FEES (\$0, with an approved fee waiver)

- \$60 – for personal service by Milwaukee County Sheriff

FORMS AND COPIES NEEDED

- **Proof of Service** – Affidavit of Service (Sheriff, private process server, other third party) or Admission of Service (signed by Respondent) *(original only)*
- **Request for Pretrial** – *(original only)*
- **Financial Disclosure Statement** – for Petitioner, fully completed *(original and 2 copies)*
- **Proposed Marital Settlement With Minor Children** – *(original and 3 copies)*
- **Proposed Parenting Plan** – *(original & 3 copies)*
- **Parent Education Completion Certificate** *(original or copy only)*
- **Interim Financial Summary** – if child support or maintenance payments are to be paid *(self copying original only)*
- **Order for Pretrial/Order to Appear** *(self copying original only)*
- **Affidavit of Non – Military Service** – notarized signature required *(original only)*
- **Certificate of Divorce** (AKA Vital Stats Form) – Use black ink only. NO mistakes, NO whiteout, NO cross-outs. This form is not required for Legal Separation.
- **Findings of Fact, Conclusions of Law, and Judgment With Minor Children** – fully completed *(original and 2 copies)*
- **Two large (8 ½ by 11) envelopes** – one addressed to each party with 4 stamps on EACH envelope
 - *Envelopes with stamps may be purchased in Legal Resource Center*

HOW TO REQUEST A FEE WAIVER

1. Fill out the Petition for Waiver of Fees.
 - Sign in front of a notary public (available in Room 104).
 - Bring proof of a month's worth of income or public benefits.
2. **Room G-9–Legal Resource Center** – will assist in printing proof of FoodShare (Quest card does not qualify as proof).
3. **Room 609–Chief Judge's Office** will approve or deny the Fee Waiver.

HOW TO FILE THE MOTION, & SCHEDULE A COURT DATE

1. **Room 104 – Clerk of Courts**
 - Pay \$5.00 fee and add receipt to papers.
2. **Room _____, Judge's Courtroom**
 - File originals, all copies in correct order, and envelopes with Clerk

HOW TO SERVE PAPERS (required)

- The other party *must be served* with the papers at least 5 business days before the hearing.
- **Room 102, Safety Building–Sheriff's Department:** if the other party lives in Milwaukee County, or, private process server
- If the other party does not live in Milwaukee County, contact the Sheriff's Department in that county or a private process server to arrange service
- You may also send the papers through **Certified Mail, Return Receipt Requested** and complete and **Affidavit of Mailing**.

ATTENDING YOUR COURT HEARING (arrive early, dress nicely, act respectfully)

- **Bring proof that the documents have been served to the other party.**
- Bring any information that is incomplete in papers (account numbers, updated pay stubs, Social Security numbers, etc.)



This document was created by the
MILWAUKEE JUSTICE CENTER
November 2014